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Proposed Attorneys for Zacky Farms, LLC

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

In re:

ZACKY FARMS, LLC, a  
California limited liability  
company,

Debtor-In-Possession.

CASE NO. 12-37961-B-11

DCN: FWP-7

Date: October 11, 2012  
Time: 1:30 p.m.  
Courtroom: 32  
501 I Street, 6th Floor  
Sacramento, CA

**ORDER ESTABLISHING NOTICE AND ADMINISTRATIVE PROCEDURES**

The motion of Zacky Farms, LLC, Debtor and Debtor in Possession's (the "Debtor") seeking entry of an order establishing notice and administrative procedures (the "Motion"), came on for hearing on October 11, 2012, at 1:30 p.m., in Courtroom 32 of the United States Bankruptcy Court for the Eastern District of California. The Debtor appeared through its counsel, Thomas A. Willoughby. Other appearances were noted on the record. All capitalized terms used but not defined herein shall have the meanings given to them in the Motion.

The Court has considered the Motion, the Declaration of Keith F. Cooper in Support of First Day Motions and Applications, and the matters reflected in the record of the hearing held on the Motion on October 11, 2012. The Court having found that it has jurisdiction over this proceeding; that this is a core proceeding; that notice of the Motion has been given to the Office of the United States Trustee, the twenty largest unsecured creditors, all secured creditors, the

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October 11, 2012  
CLERK, U. S. BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
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1 owners of the Debtor and any applicable governmental entities; that no further notice is  
2 necessary; that the relief sought in the Motion is in the best interests of the Debtor, its estate, and  
3 its creditors; and that good and sufficient cause exists for such relief.

4 Accordingly, it is hereby ORDERED as follows:

5 1. The Motion (docket no.24) is GRANTED;

6 2. The Debtor shall establish a limited service list (the "Limited Service List") that  
7 shall initially include the following parties-in-interest: (i) the Office of the United States Trustee  
8 for the Eastern District of California; (ii) the Debtor; (iii) the attorneys for the Debtor; (iv) the  
9 Debtor's twenty (20) largest unsecured creditors, or the attorneys for the Creditors' Committee if  
10 one has been formed; (v) the attorneys for any other committee appointed by the Court; (vi) the  
11 attorneys for the Debtor's pre-petition secured lenders; (vii) the owners of the Debtor; (viii) those  
12 persons who have formally appeared and requested service in this case pursuant to Bankruptcy  
13 Rule 2002 of the Bankruptcy Rules and (ix) the Internal Revenue Service, the State of California  
14 Attorney General, the United States Attorney, the Food and Drug Administration, the Department  
15 of Agriculture, the Environmental Protection Agency, the Occupational Safety and Health  
16 Administration, and corresponding state agencies, as well as other governmental agencies, to the  
17 extent required by the Bankruptcy Rules and the Local Rules.

18 3. Any party-in-interest wishing to be included on the Limited Service List shall file  
19 a notice of such request with the Court on the docket of the case (by CM/ECF for those who are  
20 authorized users or, for those who are not authorized CM/ECF users, by submitting a paper copy,  
21 my mail or in person, to the Clerk of the court, at the following address: The Clerk of the United  
22 States Bankruptcy Court for the Eastern District of California, Sacramento Division, 501 I Street,  
23 Sacramento, California 95814) and serve a written copy of such request to the Debtor's  
24 bankruptcy counsel at the following address: Thomas Willoughby, Felderstein, Fitzgerald,  
25 Willoughby & Pascuzzi LLP, 400 Capitol Mall, Suite 1450, Sacramento, CA 95814,  
26 twilloughby@ffwplaw.com.

27 4. The Debtor shall update the Limited Service List to include those persons or  
28 parties who have made a written request to be included among on the Limited Service List: (i)

1 every seven (7) days during the first thirty (30) calendar days of this case; and (ii) monthly  
2 thereafter throughout the pendency of this case. The Debtor will file with the Court a notice of  
3 each updated Limited Notice List if it includes changes from the last Limited Service List filed  
4 with the Court.

5 5. The Limited Service List shall clearly identify interested parties and their counsel  
6 who participate in the Court's Electronic Case Filing ("ECF") system.

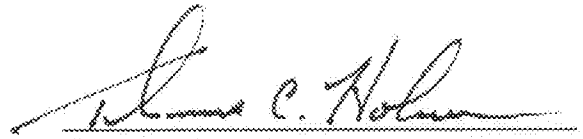
7 6. Any person filing a pleading or a paper in these cases shall serve such pleading or  
8 paper on (a) all parties-in-interest listed on the most recent Limited Service List, and (b) any  
9 creditor or other party-in-interest whose interests are likely to be affected directly by the pleading  
10 or proceeding. The serving party shall file with the Court an affidavit or certificate of service and  
11 an attached list of parties receiving notice within three (3) business days of service. The affidavit  
12 or certificate of service can state that all parties on the Limited Service List were served in lieu of  
13 individually identifying each party on the Limited Service List.

14 7. The electronic service of a Notice of Electronic Filing of a pleading or paper by  
15 any person who participates in the ECF system constitutes service of the pleading or paper on any  
16 other interested party listed on the Limited Service List who participates in the ECF system, and  
17 no conventional service on such interested party shall be required, *provided however*, that notices  
18 required by Bankruptcy Rule 2002(a)(1), (4), (5), and (7), and (b)(1) and (2) shall be served  
19 conventionally in hard copy.

20 8. Notwithstanding the foregoing, the following shall be provided to all known  
21 creditors and other parties-in-interest, at their last address known to the Debtor, unless otherwise  
22 ordered by the Court: (i) notice of the first meeting of creditors pursuant to section 341 of title 11  
23 of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the "Bankruptcy Code"); (ii) the time fixed  
24 for filing proofs of claim pursuant to Bankruptcy Rule 3003(c); (iii) the time fixed for filing  
25 objections to, and the hearing to consider approval of, a disclosure statement or confirmation of a  
26 plan of reorganization; and (iv) notice and transmittal of ballots for accepting or rejection a plan  
27 of reorganization.  
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1           9.       Counsel to the Debtor is directed to serve a copy of this Order on all creditors on  
2 the Creditor Matrix within three (3) days of the entry of this Order and to file a certificate of  
3 service with the Clerk of the Court.

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6 Dated: October 11, 2012  
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10 Thomas C. Holman  
11 United States Bankruptcy Judge  
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